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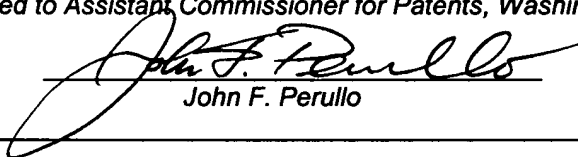
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 5  
NDB  
3-18-02

Applicant: Richard A. Gambale et al.  
Serial No.: 09/774,319  
Filed: January 31, 2001  
For: VASCULAR INDUCING IMPLANTS  
Examiner: Not Yet Assigned  
Art Unit: 3738

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Assistant Commissioner for Patents, Washington, DC 20231 on January 29, 2002.

  
John F. Perullo

Commissioner for Patents  
Washington, DC 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the applicant requests consideration of this information disclosure statement.

**Compliance with 37 C.F.R. §1.97**

This information disclosure statement has been filed before the mailing date of a first office action on the merits in the above-identified application. No fee or certification is required.

**Information Cited**

The applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the relative importance of the references.

**Compliance with 37 C.F.R. §1.98(d)**

The present application is a divisional application claiming priority under 35 U.S.C. §120 to U.S. application Serial No.09/164,173, filed September 30, 1998. Information listed on the attached PTO 1449 form and marked with an asterisk (\*) indicates information that was also cited in the parent application in compliance with 37 C.F.R. §1.98(a)-(c). Copies of these references have not been resubmitted with this filing.

**Explanation of Non-English Language References and  
Remarks Concerning Other Information Cited**

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

DE 197 03 482 A1 is a German language document. An English language Derwent abstract was provided in the parent application.

DE 296 19 029 U1 is a German utility model. An English translation was provided in the parent application.

FR 1514319 is a French language document. No Derwent English abstract is available.

FR 2 725 615 is a French language document. An English language Derwent abstract was provided in the parent application.

RU 2026640 C1 is a Russian language document. An English language abstract was provided in the parent application.

RU 2063179 C1 is a Russian language document. An English language abstract was provided in the parent application.

**Remarks**

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

- The examiner consider completely the cited information, along with any

other information, in reaching a determination concerning the patentability of the present claims;

- The enclosed form PTO-1449 be signed by the examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- The citations for the information be printed on any patent which issues from this application.

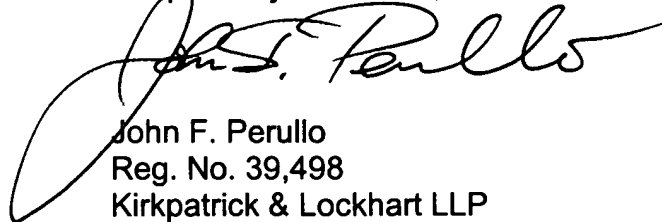
By submitting this information disclosure statement, the applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is understood by applicant that the foregoing information will be considered and, to the extent deemed appropriate by the examiner, will be reflected in the examiner's communication.

Respectfully submitted,



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